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America West Airlines Position Paper on Causal Delay Coding NPRM
14 CFR Part 234, Docket No. OST 2000-8164 - 43

Comment Deadline: February 25, 2002

Overview

The DOT has asked for comments on a Notice of Proposed Rulemaking (NPRM) which would require all carriers currently reporting under CFR Part 234 to attach a causal arrival code to all cancelled flights and flights with arrival delays of over 14 minutes. The stated purpose of this rulemaking is *"to identify the causes of flight delays and cancellations for future corrective action and alleviate some of the frustration and anger that airline passengers have expressed concerning delayed and cancelled flights."* Monthly submittal of flight statistics to the DOT would continue in the same fashion, albeit with this additional requirement. This effectively requires AWA to build a bridge to transpose today's departure and arrival codes into the new DOT reportable system with the purpose of attempting to identify system problems for corrective action. Comments as to what potential impacts and implementation hurdles this NPRM may have and the response to specific questions posed in the NPRM are provided. A compliance date would likely be included in the final rule, if approved.

Proposed Cancellation Categories

1. Air Carrier - Most general cancels under the control of the airline such as crew, maintenance, aircraft damage, etc.
2. Extreme Weather - Flights not operating due to extreme weather conditions
3. National Aviation System (NAS) - Broad set of other reasons to include non-extreme weather, security, ATC

Proposed Delay Categories

A. Air Carrier - Most general departure delays under the control of the airline such as crew, maintenance, passenger processing, etc.
B. Extreme Weather - Flights delayed due to extreme weather conditions
C. National Aviation System (NAS) - Broad set of other reasons to include non-extreme weather, security, ATC, enroute delays
D. Late Arriving Equipment - LAE with the initial cause unknown upon investigation of the departure data from the preceding flight segments
DA. LAE with the initial departure data indicating the rub off of an Air Carrier delay
DB. LAE with the initial departure data indicating the rub off of an Extreme Weather delay
DC. LAE with the initial departure data indicating the rub off of a NAS delay

Comment on Lack of Standardization

Current reporting requirements already identify how delayed/cancelled an air carrier's operation is, as expressed in on-time arrival percentages. This percentage and its associated industry ranking have become the primary measures of how well an airline is doing both within the airline and for the traveling public. Concern arises if the same mechanism is used to report delays/cancels. Although the mechanism for reporting delay/cancel information is only partially identified in this rulemaking, delay/cancel performance is significantly more subjective than the objective measure of an aircraft's actual arrival time at the gate compared to the scheduled arrival time. The NPRM attempts to establish guidelines for delay coding but it will continue to yield subjective results that vary from carrier to carrier.

- Carriers will code departure delays differently either based on a root cause or an event base methodology. How will inconsistencies be resolved as these departure delays flow into arrival delay codes?
- What is to prevent rollover delays as being coded differently between carriers as departure coding days can initiate as a calendar flight date or a segment date of operation?
- Tracking done on an aircraft tail instead of a path and sequence basis will yield different results, especially if ferry flights or diversions are to be excluded.
- What are the guidelines for interpreting extreme versus non-extreme weather and who makes that decision?
- There does not seem to be a limit on how many subsequent flights can be charged to the same weather situation as long as it is the same operational day. How will there be any assurance that the same weather event is not treated vastly different by multiple carriers?
- The majority of weather delays experienced are as a result of ATC constraints, even though a ground delay program may not be in place. Why should these delays be considered Weather instead of NAS?
- How will CATII and similar type delays be considered?
- Under the current proposal, weather induced crew delays would be coded as Air Carrier. Why would these delays not also be designated as a weather byproduct and coded as Weather?

Public Perception and Interpretation

The information resulting from the NPRM, if implemented, can be very misleading to the general public because of the impossible task of coding standardization among all airlines. Additionally, without extreme caution the information can easily be taken out of context and imply an airline to be unsafe based on a categorization of "Air Carrier" delays. Ironically, an airline that has a higher percentage of "Air Carrier" delays may be doing more to ensure a safe departure than another airline who has placed a higher priority on avoiding the delay to improve its publicly reported delay statistics. This scenario becomes increasingly likely if the natural progression is to expect mandated corrective action based on this new reporting requirement. Clearly, this probable evolution is not a desired outcome.

- How will these statistics be reported to the public so they will provide benefit to the flying public, yet not be taken out of context? Even if there is an attempt to keep the statistics in aggregate for the industry, will they not become Public Record anyways, so that the media or others could then disaggregate?
- What DOT auditing procedures will monitor carriers' compliance with this regulation? What penalties will there be for non-compliance?
- What are the planned consequences of the NAS "No Match" delays? How will the public view "No Match" situations? If the resolution of "No Matches" significantly changes the perceived performance of a particular carrier, will that change be publicly announced like the original stats were? Will a carrier be audited to make sure its rate of "No Matches" is consistent with other carriers?
- Would carriers have access to the various systems that track NAS so they could accurately charge delays as they happen? If so, what is the programming cost (hardware and labor) to access those systems? Would having access be a temptation to charge a delay to an existing "NAS" event even though the real delay reason was something the carrier could control? Is there a challenge or dispute resolution process?
- If there are two "options" for reporting delays, will carriers who only show LAE rather than LAE with a reason have an advantage or a disadvantage in the public's eye? Reporting simply LAE rather than a prorated reason is much easier from an automation point of view and even if the carrier has the ability to show a LAE reason, it may elect not to due to an inferred public perception.
- Since the NPRM allows a carrier to code either its entire departure delay or only that over 5 minutes, there is an advantage to D5 reporting even if a carrier is capable of reporting delays in their entirety since the first 5 minutes will always be prorated back to NAS if they are not accounted for, yet if they were accounted for a portion could be charged back to Air Carrier.
- Based on differing ACARS or non-ACARS trigger points designating an Out event, carriers will be penalized for Air Carrier delays that may in fact be NAS delays due to ATC clearance or ground traffic.

An Infeasible Solution

The expectation that the new rulemaking will alleviate the past frustration and anger expressed by airline passengers is unfounded. The passenger issues that precluded this rulemaking were related to delay and cancel information provided on the actual day of departure. The passengers were aware of the air carriers overall performance from the Air Travel Consumer Report statistics, but their concern was only for the flight on which they had a seat. Thus, this rulemaking may provide information for aggregate delays and cancellations, it will not provide the information required and desired by the traveling public. The recommendation is better communication to the customer of delay and cancel information on the day of departure, which the airlines have already committed to through initiatives in response to the Airline Consumer Bill of Rights. As evidenced by the most recent November and December ATCR complaint data, industry complaints are at their lowest levels in 3 years. Clearly the perception of public intolerance has changed, particularly in light of the events of September 11.

- How can holes in the scheduled flight paths be consistently absorbed to show the effects of late arriving equipment if international flying and non-reporting carriers feed through an airline system in substantially different fashions?
- The NPRM proposal shows connecting passengers as an Air Carrier delay. If the original implementation does not include non-reporting carriers or code-share partners, why should delays awaiting connecting passengers from non-reporting carriers be included? Different airlines inherently carry more risk in this area than others based on their level of reliance on non-reporting carriers.
- The way any airline schedules its block times will significantly skew its distribution between Air Carrier and NAS delays. An airline scheduling a lower block time will always have a higher probability of obtaining a NAS delay. For example, Airline A and Airline B both depart 15 minutes late going to the same destination. Airline A has scheduled a block of 200 minutes and Airline B has scheduled a block of 230 minutes. Both arrive at their destination at the same time, 245 minutes after their departure. Airline A will incur a delay of 15 minutes Air Carrier and 30 minutes NAS. Airline B will incur a delay of 15 minutes Air Carrier only. What benefit is the knowledge that Airline B has incurred a 30 minute NAS delay? Should the FAA now attempt to fix a situation that is a "NAS problem" to one airline but not another?
- If carriers do not report causal codes for diversions, how is the impact of those diversions handled (out of position equipment, late crews, late connects)?

Comments to Specific Questions Posed Within the NPRM

1) Accordingly, we are inviting comments on what should be the proper time frame to include the remaining major carriers as well as the national carriers, and the reporting carriers' code-share partners in the part 234 reporting requirements.

To correctly and completely *"explain more fully to the public the nature and source of airline delays and cancellations"* it is necessary to include the air carriers that account for the remaining 17% of the domestic passenger enplanements. Thus, inclusion of these carriers should coincide with the effective date of this rulemaking. At a minimum, some binding wording must be included in this rulemaking to ensure near future inclusion of said carriers. As an airline customer booking a codesharing reservation involving both a reporting and a non-reporting entity, I only know half of the story of flight performance. Arrival performance of the first segment means little if the ensuing segment is delayed to the customer's final destination.

2) We are also seeking cost estimates from air carriers on our proposal

The published cost estimates may simply cover the modification of the report submitted to the DOT to include the new information fields requested. Although we have a relatively advanced delay coding methodology and currently code arrival delays, America West is not starting with a clean slate. More complex programming costs are required in several areas, such as prorating en route time savings to multiple delay codes. The creation of more distinguishing weather delay and cancel codes as well as a tracking mechanism for aircraft swap reasons are also required enhancements to the AWA coding systems.

As each air carrier has different computer systems and methodologies, the assessment of 10-20 hours and $25-$100K cannot apply to all carriers nor can actual airline specific estimates be performed until the entire scope of the project is identified. The difficulties will be in getting the business areas to agree which delay codes should be assigned to which BTS category. The expected total cost of AWA to effectively code and implement new business processes to comply to this NPRM are orders of magnitude larger that those given within.

and input from members of the public on whether they would benefit from expanding the part 234 reporting requirements

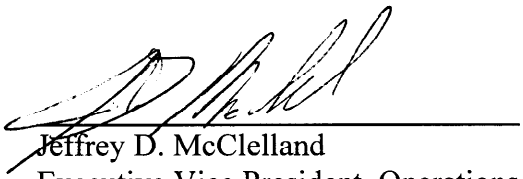
As stated in comment (1) above, limiting the reporting requirement to only 83% of the domestic enplanements does a disservice to both the reporting carriers and members of the traveling public.

3) We request comments on the appropriate coding designation for bird strikes

Bird strikes should be coded as an external delay/cancellation (e.g. Extreme Weather), not as Air Carrier or NAS. The air carrier and the NAS do not have control over the bird, the root cause of the aircraft damage and subsequent delay. This scenario is similar to a hail damaged aircraft. The air carrier is required by safety and regulations to avoid known hail and birds, thus delays and cancellations caused by these external factors occur unexpectedly and are not within air carrier control. The statement *"although air carriers generally cannot prevent bird strikes, they are in the best position to take corrective action by having spare aircraft or by repairing damaged parts"* is fundamentally flawed and would set a bad precedent. Any corrective action must be directed at the root cause not the event of delay or cancellation. *"Spare aircraft or damage repair"* would correct the delay or cancellation but not correct the root cause bird strike or hail damage. Thus, the true and appropriate corrective action would be the timely identification of birds/hail and the subsequent avoidance of such by the air carrier.

4) We invite comments on our burden estimates

As stated in comment (2) above, the burden estimates are low for the initial startup. If the scope of the project were to simply change the reporting format, the 10-20 hour coding estimate is realistic. However, by necessity the scope of the project will need to include gathering the information and performing the pro-rations referred to within the NPRM. AWA estimates 80-100 hours to analyze all the requirements once they are firm, and then create a project plan. At that point, we will be in a position to give a firm estimate of coding hours and cost. In addition, dependent upon the nature (advisory, required, or mandated) of stated *"future corrective action,"* the air carriers may be exposed to an additional financial burden that is not identified in this rulemaking.



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